



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/978,026	10/17/2001	Martin Tasler	2000P15975US	3824

466 7590 07/14/2005

YOUNG & THOMPSON  
745 SOUTH 23RD STREET  
2ND FLOOR  
ARLINGTON, VA 22202

EXAMINER
----------

KHOSHNOODI, NADIA

ART UNIT	PAPER NUMBER
----------	--------------

2133

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/978,026

Applicant(s)

TASLER, MARTIN

Examiner

Nadia Khoshnoodi

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/17/2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
SHELLY CHASE  
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/9-2-2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

The drawings are objected to because descriptive labels other than numerical are needed for fig. 1. See 37 CFR 1.84(o). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Objections*

Claims 1 and 5 are objected to because of the following informalities: the preamble of the claim is not separated from the body of the claim. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

I. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

II. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wizig, U.S. Patent No. 6,735,569, and further in view of Ikebata et al., EP Patent No. 0895750 A2.

As per claim 1:

Wizig substantially teaches the method for identifying a user, in which at least one person-specific feature of the user, is requested by a central server and is transmitted to the central server by an input appliance of a user computer device via a telecommunication link (col.

Art Unit: 2133

6, line 61 - col. 7, line 47 and fig. 1, element 200), in particular over the Internet (fig. 1, element 140), and is compared with stored user data (col. 10, lines 36 – col. 11, line 31), and he at least one person-specific feature being selected in a second feature group comprising the user name and/or the date of birth and/or a user number and/or a secret number (fig. 10).

Not explicitly disclosed by Wizig is the at least one person-specific feature being selected by the central server on the basis of the random principle from a plurality of features recorded in a first feature group comprising the print from at least one finger and/or the image of the iris of at least one eye and/or a voice sample and/or a sample signature and/or an image of at least part of the user and/or the genetic fingerprint.

However, Ikebata et al. teach that information regarding person-specific features can be maintained in storage, as a first feature group, in order to authenticate a user by using biometrics such as fingerprints, voiceprint, and/or iris patterns. Furthermore, Ikebata et al. teach that the user's computer device has a camera as an inputting means. Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Wizig to use biometrics, as well as an inputting means to allow the user to respond to the request for biometric data, in order to have a stronger means of authentication. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, would have been motivated to do so since it is suggested by Ikebata et al. in paragraph 5.

Furthermore, Ikebata et al. teach that the person-specific feature can be randomly selected from the possible data that exists in the registered user's data record. Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method

Art Unit: 2133

disclosed in Wizig to randomly select the means of authentication to further strengthen the authentication process. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, would have been motivated to do so since it is suggested by Ikebata et al. in paragraphs 42-47.

As per claim 2:

Wizig and Ikebata et al. substantially teach the method as claimed in claim 1.

Furthermore, Ikebata et al. teach the method characterized in that a plurality of person-specific features are selected and requested on the basis of the random principle (paragraphs 42-47).

As per claim 3:

Wizig and Ikebata et al. substantially teach the method as claimed in claim 2.

Furthermore, Ikebata et al. teach the method characterized in that, in each case, at least one feature from the first feature group is chosen (paragraphs 40-41).

As per claim 4:

Wizig and Ikebata et al. substantially teach the method as claimed in claim 1.

Furthermore, Wizig teaches the method characterized in that the data are transmitted in encrypted form (col. 7, lines 16-20).

As per claim 5:

Wizig substantially teaches a system for identifying a user having at least one central server (col. 6, line 61 - col. 7, line 47 and fig. 1, element 200) having a database containing person-specific features for users (col. 7, line 58 – col. 8, line 7 and fig. 2, element 1000), having at least one external, user computer device which communicates with the server over the Internet

(col. 6, lines 15-24 and fig. 1, element 110) and containing a second feature group comprising the user name and/or the date of birth and/or a user number and/or a secret number (fig. 10).

Not explicitly disclosed by Wizig et al. is the user computer device having at least one input appliance which can be used for the server to request at least one person-specific feature and for transmitting said feature to the server, the person-specific features of a user being stored on the server in a person-specific data record (3, 4) containing a first feature group comprising the print from at least one finger and/or the image of the iris of at least one eye and/or a voice sample and/or a sample signature and/or an image of at least part of the user and/or the genetic fingerprint and the at least one person-specific feature (5) requested being able to be selected on the basis of the random principle from the features in both feature groups (3a, 3b, 4a, 4b).

However, Ikebata et al. teach that information regarding person-specific features can be maintained in storage, as a first feature group, in order to authenticate a user by using biometrics such as fingerprints, voiceprint, and/or iris patterns. Furthermore, Ikebata et al. teach that the user's computer device has a camera as an inputting means. Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Wizig to use biometrics, as well as an inputting means to allow the user to respond to the request for biometric data, in order to have a stronger means of authentication. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, would have been motivated to do so since it is suggested by Ikebata et al. in paragraph 5.

Furthermore, Ikebata et al. teach that the person-specific feature can be randomly selected from the possible data that exists in the registered user's data record. Therefore, it would have

Art Unit: 2133

been obvious to a person in the art at the time the invention was made to modify the method disclosed in Wizig to randomly select the means of authentication to further strengthen the authentication process. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, would have been motivated to do so since it is suggested by Ikebata et al. in paragraphs 42-47.

As per claim 6:

Wizig and Ikebata et al. substantially teach the system as claimed in claim 5.

Furthermore, Ikebata et al. teach the system characterized in that the input appliance of the user computer device (7, 13) comprises at least one camera (11) and/or at least one microphone and/or at least one means (17) for recording a fingerprint (par. 13).

As per claim 7:

Wizig and Ikebata et al. substantially teach the system as claimed in claim 5. Not explicitly disclosed is the system characterized in that a plurality of central servers having identical databases are provided. However, Wizig teaches that the central server can have a plurality of software servers. Furthermore, since the central server holds information regarding healthcare service providers, having a plurality of central servers with identical databases could be used in order to accommodate to different geographical locations. Therefore, it would have been obvious to a person in the art at the time the invention was made to modify the method disclosed in Wizig to have a plurality of central servers having identical databases. This modification would have been obvious because a person having ordinary skill in the art, at the time the invention was made, would have been motivated to do so since it is suggested by Wizig in col. 7, lines 32-46 and col. 26, lines 46-50.

Art Unit: 2133

As per claim 8:

Wizig and Ikebata et al. substantially teach the system as claimed in claim 5.

Furthermore, Wizig teaches the system characterized in that the server (2) and/or the user computer device (7, 13) comprise a means for data encryption and decryption (col. 7, lines 16-20).

### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nadia Khoshnoodi whose telephone number is (571) 272-3825. The examiner can normally be reached on M-F: 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NK

*Nadia Khoshnoodi*  
Nadia Khoshnoodi  
Examiner  
Art Unit 2133  
7/6/2005

*Shelly Chase*  
SHELLY CHASE  
PRIMARY EXAMINER